

THE FOLLOWING ORDER
IS APPROVED AND ENTERED
AS THE ORDER OF THIS COURT:



DATED: August 19, 2019

A handwritten signature in black ink, appearing to read "Beth E. Hanan".

Beth E. Hanan
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

IN RE:

Harold L. DePew

DEBTOR

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**CASE NO. 18-28038-beh
CHAPTER 13**

ORDER CONDITIONING THE AUTOMATIC STAY

In said District, on the 16th of July 2019, upon the Motion of U.S. Bank Trust National Association, as Trustee of the Cabana Series III Trust, to Modify the Automatic Stay, due notice having been served upon all parties in interest; the movant and the debtor(s) in agreement with the below terms and the Court having jurisdiction and being fully advised in the premises;

IT IS HEREBY ORDERED that the Automatic Stay shall remain in effect conditioned upon the following:

1. That in the event that the debtor becomes delinquent in his post-petition mortgage payments during the six month period beginning with the August 01, 2019 payment, delinquent being defined as having not been received by movant before the sixteenth (16th) day after which such payment is due, U.S. Bank Trust National Association, as Trustee of the Cabana Series III Trust may file and serve on the court, the debtor, debtor's counsel, and the Trustee an Affidavit of Default and a proposed Order Modifying the Automatic Stay for the court's signature. Upon entry of such Order, the Automatic Stay in this case shall be modified for U.S. Bank Trust National Association, as Trustee of the Cabana Series III Trust to proceed against

debtor with foreclosure of the subject property, pursuant to Wisconsin law, without further order of the Court or proceeding being necessary, and thereafter commence any action necessary to obtain possession of the premises known as 916 William St., Walworth, WI 53184. Monthly payments are to be sent to creditor's Payment Processing Center at BSI Financial Services, 314 S. Franklin St. PO Box 517, Titusville, PA 16354.

2. At the termination of the six-month period, movant may renew its Motion by letter notice to the Court, the debtor, and debtor's attorney, should payments not be received by movant before the sixteenth (16th) day after which such payment is due.

3. Regular on-going installment payments will commence August 01, 2019 in the amount of \$1,134.32.

4. In order to cure the remaining post petition arrearage alleged in the Motion, U.S. Bank Trust National Association, as Trustee of the Cabana Series III Trust is granted leave to file a supplemental Proof of Claim in the amount of \$13,709.15, consisting of four payments from October 01, 2018 to July 01, 2019 at \$1,405.57 each, attorney's fees of \$850.00, and costs of \$181.00 less suspense in the amount of \$1,377.55. The debtor further agrees to modify the plan, if necessary, to accommodate payment of the supplemental claim.

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